REMARKS

Applicants respectfully request that preliminary to the examination of this application on the merits, the above-referenced application be amended as set forth above.

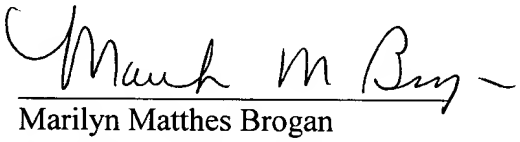
Specifically, Applicants request that pages 11-13 of this specification be amended as set forth above, and that claim 1 be amended as set forth above. These amendments correspond to the amendments made to the corresponding German application.

Applicants respectfully request entry of this amendment and early examination of this application on the merits.

It is believed that no fee is required due to the instant submission. However, if any fee is required, or if any overpayment has been made, please charge or credit any such amount to the Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

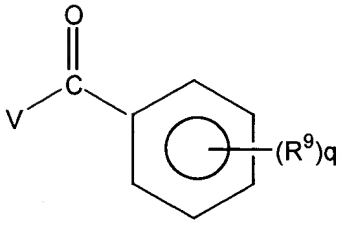
Marilyn Matthes Brogan
Registration No. 31,223
745 Fifth Avenue
New York, New York 10151
(212) 588-0800

APPENDIX: VERSION WITH MARKINGS TO SHOW CHANGES MADE

Claim 1 has been amended as follows:

1. (amended) A herbicidally active composition comprising a mixture of

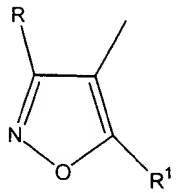
A a herbicidally active amount of one or more compounds of the formula (I)



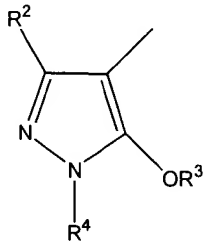
(I)

in which

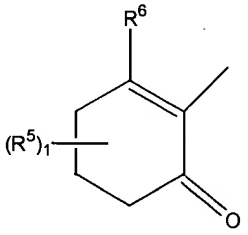
V is a radical selected from the group consisting of (V1) to (V4),



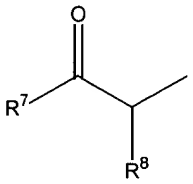
(V1)



(V2)



(V3)



(V4)

where the symbols and indices have the following meanings:

R is hydrogen, (C_1-C_4)-alkoxycarbonyl, (C_1-C_4)-haloalkoxycarbonyl, (C_1-C_4)-alkylsulfonyl, (C_1-C_4)-alkylsulfinyl, (C_1-C_4)-alkylthio, COOH, cyano;

R^1 is hydrogen, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl, (C_1-C_4)-alkynyl, (C_3–C_8)-cycloalkyl, (C_3-C_8)-cycloalkenyl, (C_1-C_4)-alkyl-(C_3-C_8)-cycloalkyl, (C_3-C_7)-halocycloalkyl, (C_1-C_4)-alkylthio(C_3-C_8)-cycloalkyl, (C_1-C_8)-haloalkyl or (C_2-C_8)-haloalkenyl;

R^2 is hydrogen, (C_1-C_4)-alkyl, (C_1-C_4)-alkoxy, (C_1-C_4)-haloalkyl, halogen, (C_1-C_4)-haloalkoxy, cyano, nitro;

R^3 is hydrogen, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl, (C_2-C_4)-alkynyl, (C_1-C_4)-haloalkyl, (C_1-C_4)-alkoxy-(C_1-C_4)-alkyl, (C_1-C_4)-alkylcarbonyl, (C_1-C_4)-alkylsulfonyl, (C_1-C_4)-haloalkylsulfonyl, (C_1-C_4)-alkyl-substituted or unsubstituted arylsulfonyl, (C_1-C_4)-alkyl-substituted or unsubstituted arylcarbonyl-(C_1-C_4)-alkyl or (C_1-C_4)-alkyl-substituted or unsubstituted aryl-(C_1-C_4)-alkyl;

R^4 is hydrogen, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl, (C_2-C_4)-alkynyl, (C_1C_4)-haloalkyl, phenyl or benzyl;

R^5 is (C_1-C_4)-alkyl, (C_1-C_4)-alkoxy, (C_1-C_4)-alkoxy-(C_1-C_4)-alkyl, (C_1-C_4)-dialkoxy-(C_1-C_4)-alkyl, (C_1-C_4)-alkylthio, halogen, substituted or unsubstituted aryl, tetrahydropyran-4-yl, tetra hydropyran-3-yl, tetra hydrothiopyran-3-yl, 1-methylthiocyclopropyl, 2-ethylthiopropyl or two radicals R^5 together are (C_2-C_4)-alkylene;

R^6 is hydroxyl, (C_1-C_4)-alkoxy, (C_1-C_8)-haloalkoxy, formyloxy, (C_1-C_4) alkylcarbonyloxy, (C_1-C_4)-alkylsulfonyloxy, (C_1-C_4)-alkylthio, (C_1-C_4)haloalkylthio, arylthio, aryloxy, (C_1-C_4)-alkylsulfinyl or (C_1-C_4)-alkylsulfonyl;

R^7 is (C_1-C_4)-alkyl, (C_1-C_4)-haloalkyl, (C_3-C_8)-cycloalkyl, (C_1-C_4)-alkyl(C_3-C_8)-cycloalkyl or (C_3-C_8)-halocycloalkyl;

R^8 is cyano, (C_1-C_4)-alkoxycarbonyl, (C_1-C_4)-alkylcarbonyl, (C_1-C_4)alkylsulfonyl, (C_1-C_4)-alkylsulfinyl, (C_1-C_4)-alkylthio, (C_1-C_4)-alkylaminocarbonyl or (C_1-C_4)-dialkylaminocarbonyl;

I is an integer from 0 to 6, where if $I \geq 2$ the radicals R^5 can be identical or different from each other, and

R^9 are identical or different nitro, amino, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl, (C_2-C_4)-alkynyl,

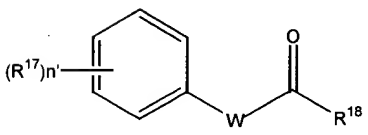
halogen, (C_1-C_4)-haloalkyl, (C_2-C_4)-haloalkenyl, (C_2-C_4)haloalkynyl, (C_1-C_4)-haloalkoxy, (C_1-C_4)-haloalkylthio, (C_1-C_4)alkoxycarbonyl, (C_1-C_4)-alkylsulfonyl, (C_1-C_4)-alkylsulfinyl, (C_1-C_4)alkylthio, arylsulfonyl, arylsulfinyl, arylthio, (C_1-C_4)-alkoxy, (C_1-C_4)-alkoxy-(C_1-C_4)-alkoxy, (C_1-C_4)-alkylthio-(C_1-C_4)-alkoxy, (C_1-C_4)-alkylcarbonyl, (C_1-C_4)-alkylaminosulfonyl, (C_1-C_4)-dialkylaminosulfonyl, (C_1-C_4)-alkylcarbamoyl, (C_1-C_4)-dialkylcarbamoyl, (C_1-C_4)-alkoxy-(C_1-C_4)-alkyl, phenoxy, cyano, aryl, alkylamino or dialkylamino;

q is 0, 1, 2, 3 or 4;

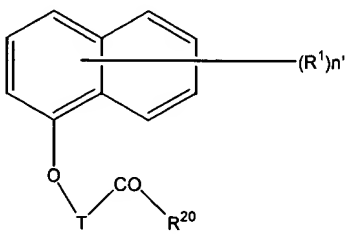
and

B an antidote-effective amount of one or more safeners selected from the group consisting of

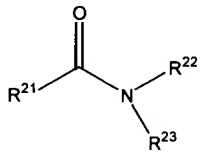
a) compounds of the formulae (II) to (IV),



(II)



(III)



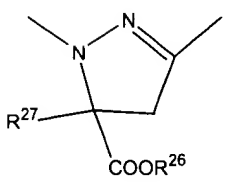
(IV)

where the symbols and indices have the following meanings:

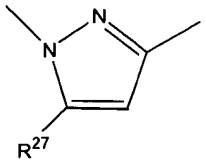
n' is a natural number from 0 to 5;

T is a (C_1 or C_2)-alkanediyl chain which is unsubstituted or substituted by one or two (C_1-C_4)-alkyl radicals or by [(C_1-C_3)-alkoxy]carbonyl;

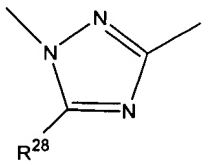
W is an unsubstituted or substituted divalent heterocyclic radical selected from the group of the partially unsaturated or aromatic five-membered heterocyclic rings which have 1 to 3 hetero ring atoms of the N or O type, where the ring contains at least one N atom and not more than one O atom, preferably a radical selected from the group consisting of (W1) to (W4),



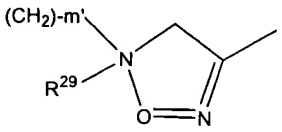
(W1)



(W2)



(W3)



(W4)

m' is 0 or 1;

R^{17}, R^{19} are identical or different halogen, (C_1-C_4)-alkyl, (C_1-C_4)-alkoxy, nitro or (C_1-C_4)-haloalkyl;

R^{18}, R^{20} are identical or different OR^{24}, SR^{24} or $NR^{24}R^{25}$ or a saturated or unsaturated 3- to 7-membered heterocycle having at least one N atom and up to 3 hetero atoms, which is linked to the carbonyl group in (II) or (III) via the N atom and is unsubstituted or substituted by radicals selected from the group consisting of (C_1-C_4)-alkyl, (C_1-C_4)-alkoxy or optionally substituted phenyl;

R^{24} is hydrogen or an unsubstituted or substituted aliphatic hydrocarbon radical;

R^{25} is hydrogen, (C_1-C_6)-alkyl, (C_1-C_6)-alkoxy or substituted or unsubstituted phenyl;

R^{26} is hydrogen, (C_1-C_8)-alkyl, (C_1-C_8)-haloalkyl, (C_1-C_4)-alkoxy-(C_1C_4)-alkyl, (C_1-C_6)-hydroxyalkyl, (C_3-C_{12})-cycloalkyl or tri-(C_1-C_4)-alkyl-silyl;

R^{27}, R^{28}, R^{29} are identical or different hydrogen, (C_1-C_8)-alkyl, (C_1-C_8)haloalkyl, (C_3-C_{12})-cycloalkyl or substituted or unsubstituted phenyl;

R^{21} is (C_1-C_4)-alkyl, (C_1-C_4)-haloalkyl, (C_2-C_4)-alkenyl, (C_2-C_4)haloalkenyl, (C_3-C_7)-cycloalkyl;

R_{22}, R_{23} are identical or different hydrogen, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl, (C_2-C_4)-alkynyl, (C_1-C_4)-haloalkyl, (C_2-C_4)-haloalkenyl, (C_1-C_4)-alkylcarbamoyl-(C_1-C_4)-alkyl, (C_2-C_4)-alkenylcarbamoyl-(C_1-C_4)-alkyl, (C_1-C_4)-alkoxy-(C_1-C_4)-alkyl, dioxolanyl-(C_1-C_4)-alkyl, thiazolyl, furyl, furylalkyl, thienyl, piperidyl, substituted or unsubstituted phenyl, or R22 and R23 together form a substituted or unsubstituted heterocyclic ring, preferably an oxazolidine, thiazolidine, piperidine, morpholine, hexahydropyrimidine or benzoxazine ring;

b) one or more compounds from the group consisting of:

1,8-naphthalic anhydride, methyl diphenylmethoxyacetate,

cyanomethoxyimino(phenyl)acetonitrile (cyometrinil),

1,3-dioxolan-2-ylmethoxyimino(phenyl)acetonitrile (oxabetrinil),

4'-chloro-2,2,2-trifluoroacetophenone O-1,3-dioxolan-2-ylmethyloxime(fluxofenim),

4,6-dichloro-2-phenylpyrimidine (fenclorim),

benzyl 2-chloro-4-trifluoromethyl-1,3-thiazole-5-carboxylate (flurazole),

2-dichloromethyl-2-methyl-1,3-dioxolane (MG-191),

N-(4-methylphenyl)-N'-(1-methyl-1-phenylethyl)urea(dymrone),

1-[4-(N-2-methoxybenzoylsulfamoyl)phenyl]-3-methylurea,

1-[4-(N-2-methoxybenzoylsulfamoyl)phenyl]-3,3-dimethylurea,

1-[4-(N-4,5-dimethylbenzoylsulfamoyl)phenyl]-3-methylurea,

1-[4-(N-naphthoylsulfamoyl)phenyl]-3,3-dimethylurea,

(2,4-dichlorophenoxy)acetic acid (2,4-D), (4-chlorophenoxy)acetic acid,

(R,S)-2-(4-chloro-o-tolyloxy)propionic acid (mecoprop),

4-(2,4-dichlorophenoxy)butyric acid (2,4-DB), (4-chloro-o-tolyloxy)acetic acid (MCPA),

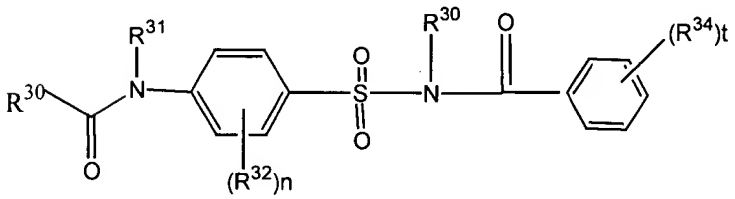
4-(4-chloro-o-tolyloxy)butyric acid, 4-(4-chlorophenoxy)butyric acid,

3,6-dichloro-2-methoxybenzoic acid (dicamba),

1-(ethoxycarbonyl)ethyl 3,6-dichloro-2-methoxybenzoate (lactidichlor)

and their salts and esters;

c) N-acylsulfonamides of the formula (V) and their salts



(V)

in which

R^{30} is hydrogen, a hydrocarbon radical, a hydrocarbon-oxy radical, a hydrocarbon-thio radical or a heterocyclyl radical, it being possible for each of the 4 last-mentioned radicals being unsubstituted or being substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, carboxyl, formyl, carboxamide, sulfonamide and radicals of the formula Z^a-R^a, each hydrocarbon moiety preferably having 1 to 20 carbon atoms and a carboncontaining radical R^{30} inclusive of substituents preferably having 1 to 30 carbon atoms;

R^{31} is hydrogen or (C_1-C_4)-alkyl, or

R^{30} and R^{31} together with the group of the formula -CO-N- are the residue of a 3- to 8-membered saturated or unsaturated ring;

R^{32} is identical or different halogen, cyano, nitro, amino, hydroxyl, carboxyl, formyl, $CONH_2$, SO_2NH_2 or a radical of the formula Z^b-R^b;

R^{33} is hydrogen or (C_1-C_4)-alkyl;

R^{34} is identical or different halogen, cyano, nitro, amino, hydroxyl, carboxyl, CHO, CONH2, SO_2NH_2 or a radical of the formula Z^C-R^C;

R^a is a hydrocarbon radical or a heterocyclyl radical, each of the two last-mentioned radicals being unsubstituted or substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, mono- and di-[(C_1-C_4)-alkyl]amino, or an alkyl radical in which a plurality, preferably 2 or 3, non-adjacent CH_2 groups are in each case replaced by one oxygen atom;

R^b, R^c are identical or different and are a hydrocarbon radical or a heterocyclyl radical, each of the two last-mentioned radicals being unsubstituted or substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, phosphoryl, halo-(C_1-C_4)-alkoxy, mono- and di-[(C_1-C_4)alkyl]amino, or an alkyl radical in which a plurality, preferably 2 or 3, nonadjacent CH_2 groups are replaced in each case by one oxygen atom;

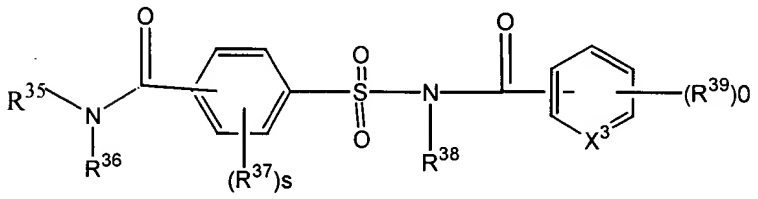
Z^a is a divalent group of the formula O, S, CO, CS, CO-O, CO-S, O-CO, S-CO, SO, SO_2, NR*, CO-NR*, NR*-CO, SO_2-NR* or NR*-SO_2, the bond given on the right-hand side of each of the divalent groups being the bond to the radical R^a, and the radicals R^* in the 5 last-mentioned radicals independently of each other being in each case H, (C_1-C_4)-alkyl or halo(C_1-C_4)-alkyl;

Z^b, Z^c independently of one another are a direct bond or a divalent group of the formula O, S, CO, CS, CO-O, CO-S, O-CO, S-CO, SO, SO_2, NR*, SO_2-NR*, NR*-SO_2, CO-NR* or NR*-CO, where, in asymmetrical divalent groups, the atom on the right-hand side is linked to the radical R_b or R_c and where the radicals R* in the 5 last-mentioned radicals independently of one another are in each case H, (C_1-C_4)-alkyl or halo-(C_1-C_4)-alkyl;

n is an integer from 0 to 4, and

t is an integer from 0 to 5.

d) Acylsulfamoylbenzamides of the formula (VI), optionally also in salt form,



(VI)

in which

X^3 is CH or N;

R^{35} is hydrogen, heterocyclyl or a hydrocarbon radical, the two last-mentioned radicals optionally being substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, carboxyl, CHO, $CONH_2$, SO_2NH_2 and Z^d -R^d;

R^{36} is hydrogen, hydroxyl, (C_1-C_6)-alkyl, (C_2-C_6)-alkenyl, (C_2-C_6)alkynyl, (C_1-C_6)-alkoxy, (C_2-C_6)-alkenyloxy, the five last-mentioned radicals optionally being substituted by one or more identical or different radicals selected from the group consisting of halogen, hydroxyl, (C_1-C_4)alkyl, (C_1-C_4)-alkoxy and (C_1-C_4)-alkylthio, or

R^{35} and R^{36} together with the nitrogen atom to which they are attached are a 3- to 8-membered saturated or unsaturated ring;

R^{37} is identical or different halogen, cyano, nitro, amino, hydroxyl, carboxyl, CHO, CONH2, SO_2NH_2 or Z^e-R^e;

R^{38} is hydrogen, (C_1-C_4)-alkyl, (C_2-C_4)-alkenyl or (C_2-C_4)-alkynyl;

R^{39} is identical or different halogen, cyano, nitro, amino, hydroxyl, carboxyl, phosphoryl, CHO, $CONH_2$, SO_2NH_2 or Z^f-R^f;

R^d is a (C_2-C_{20})-alkyl radical whose carbon chain is interrupted once or more than once by oxygen atoms, or is heterocyclyl or a hydrocarbon radical, the two last-mentioned radicals optionally being substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, mono- and di-[(C_1-C_4)-alkyl]amino;

R^e, R^f are identical or different and are a (C_2-C_{20})-alkyl radical whose carbon chain is interrupted once or more than once by oxygen atoms, or a heterocyclyl or a hydrocarbon radical, the two last-mentioned radicals optionally being substituted by one or more identical or different radicals selected from the group consisting of halogen, cyano, nitro, amino, hydroxyl, phosphoryl, (C_1-C_4)-haloalkoxy, mono- and di-[(C_1-C_4)-alkyl]amino;

Z^d is a divalent unit selected from the group consisting of O, S, CO, CS, C(O)O, C(O)S, SO, SO_2, NR*, C(O)NR* or SO_2NR*;

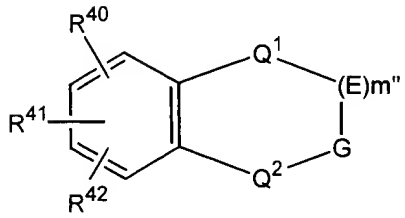
Z^e, Z^f are identical or different and are a direct bond or a divalent unit selected from the group consisting of O, S, CO, CS, C(O)O, C(O)S, SO, S02, NR*, SO_2NR* or C(O)NR*;

R* is hydrogen, (C_1-C_4)-alkyl or (C_1-C_4)-haloalkyl;

s is an integer from 0 to 4, and

o in the event that X is CH, is an integer from 0 to 5 and, in the event that X is N, is an integer from 0 to 4;

[e) compounds of the formula (VII),



(VII)

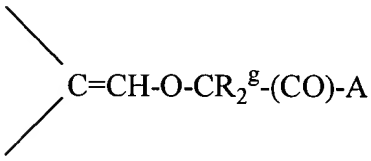
in which the symbols and indices have the following meanings:

R^{40} is H, (C_1-C_4)-alkyl, (C_1-C_4)-alkyl substituted by (C_1-C_4)-alkyl-X^4 or (C_1-C_4)-haloalkyl-X^4, (C_1-C_4)-haloalkyl, NO_2, CN, COO-R^{43}, NR_2^{44} $SO_2NR_2^{45}$ or $CONR_2^{46}$;

R^{41} is H, halogen, (C_1-C_4)-alkyl, CF_3, (C_1-C_4)-alkoxy or (C_1-C_4)-haloalkoxy;

R^{42} is H, halogen or (C_1-C_4)-alkyl;

Q^1, Q^2, E, G are identical or different O, S, CR_2^{47}, CO, NR^{48} or a group of the formula (VIII),



(VIII)

with the proviso that

α) at least one of the groups Q^1, Q^2, E, G is a carbonyl group, that exactly one of these groups is a radical of the formula (VIII) and that the group of the formula (VIII) is adjacent to a carbonyl group, and

β) two adjacent groups Q^1, Q^2, E and G cannot simultaneously be oxygen;

R^g is identical or different H or (C_1-C_8)-alkyl or the two radicals R^g together are

(C_2-C_6)-alkylene;

A is Y^3-R^h or NR_2^{49};

X^4 is O or S(O)x;

Y^3 is O or S;

R^h is H, (C_1-C_8)-alkyl, (C_1-C_8)-haloalkyl, (C_1-C_4)-alkoxy-(C_1-C_8)-alkyl, (C_3-C_6)-alkenyloxy-(C_1-C_8)-alkyl, or phenyl-(C_1-C_8)-alkyl, where the phenyl ring is optionally substituted by halogen, (C_1-C_4)-alkyl, CF_3, methoxy or methyl-S(O)X; (C_3-C_6)-alkenyl, (C_3-C_6)-haloalkenyl, phenyl(C_3-C_6)-alkenyl, (C_3-C_6)-alkynyl, phenyl-(C_3-C_6)-alkynyl, oxetanyl, furfuryl, tetra hydrofuryl;

R^{43} is H or (C_1-C_4)-alkyl;

R^{44} is identical or different H, (C_1-C_4)-alkyl, (C_1-C_4)-alkylcarbonyl or the two radicals R^{44} together are (C_4-C_5)-alkylene;

R^{45}, R^{46} independently of one another are in each case identical or different H, (C_1-C_4)-alkyl, or the two radicals R^{45} and/or R^{46} together are (C_4-C_5)-alkylene, where one CH_2 group can be replaced by O or S or one or two CH_2 groups can be replaced by NR^i;

R^i is H or (C_1-C_8)-alkyl;

R^{47} is identical or different H, (C_1-C_8)-alkyl or the two radicals R^{47} together are (C_2-C_6)-alkylene;

R^{48} is H, (C_1-C_8)-alkyl, substituted or unsubstituted phenyl, or benzyl which is unsubstituted or substituted on the phenyl ring;

R^{49} is identical or different H, (C_1-C_8)-alkyl, phenyl, phenyl-(C_1-C_8)-alkyl, where a phenyl ring can be substituted by F, Cl, Br, NO_2, CN, OCH_3, (C_1-C_4)-alkyl or CH_3SO_2-; (C_1-C_4)-alkoxy-(C_1-C_8)-alkyl, (C_3-C_6)-alkenyl, (C_3-C_6)-alkynyl, (C_3-C_6)-cycloalkyl or two

radicals R^{49} together are (C_4-C_5)-alkylene, where one CH2 group can be replaced by O or S or one or two CH_2 groups can be replaced by NR^k;

R^k is H or (C_1-C_4)-alkyl;

m" is 0 or 1 and

x is 0, 1 or 2,]

inclusive of the stereoisomers and the agriculturally customary salts, with the exclusion of mixtures in which

a) in the compound of the formula (I), V = V1 or V4 and the safener has the formula (IV) or is selected from the group consisting of 1,8-naphthalic anhydride, methyl diphenylmethoxyacetate, 2-dichloromethyl-2-methyl-1,3-dioxolane, cyanomethoxyimino(phenyl)acetonitrile, 1,3-dioxolan-2-ylmethoxyimino(phenyl)acetonitrile, 4'-chloro-2,2,2-trifluoroacetophen one 0-1,3-dioxolan-2-ylmethyloxime, 4,6-dichloro-2-phenylpyrimidine, benzyl-2-chloro-4-trifluoromethyl-1,3-thiazole-5-carboxylate and 1-methylhexyl (5-chloro-8-quinolinoxy) acetate; or

[c] b) in the compound of the formula (I), V=V3 where R^6 = OH, and the safener

- has the formula (II) where W = W1, W2, W3 or W4 where m'= 1 or
- has the formula (III) and T is a (C_1- or C_2)-alkanediyl chain which is unsubstituted or substituted by one or two (C_1-C_4)-alkyl radicals, or
- has the formula (IV), or
- is a compound from the group consisting of 1,8-naphthalic anhydride, cyanomethoxyimino(phenyl)acetonitrile, oxabetrinil, fluxofenim and flurazole.